#### **BUSINESS REPORT**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **HOUSE JUDICIARY COMMITTEE**

Date: Thursday, February 17, 2011

Place: Capitol

Time: 8:00 AM **Room: 137** 

### **BILLS and RESOLUTIONS HEARD:**

HB 50 - Revise requirements for civil actions against bars for dram shop liability

HB 455 - Amend MAPA to allow non-attorney representation before agencies

HB 457 - Provide protection of pregnant women

HB 493 - Provide for 14th amendment state compact on birth records

.HB 496 - Allowing law enforcement agencies to destroy certain firearms they possess

HB 518 - Create a mental health care advance directive

HB 519 - Direct Dept of Corrections to terminate certain prison industries contracts

HB 532 - Revising statutes of limitations time limits regarding accrual of damages

HB 574 - Constitutional referendum to specify no right to abortion or its public funding

#### **EXECUTIVE ACTION TAKEN:**

HB 496 Dopass HB 271 Dopass as amended HB 455 Tabled

### Comments:

REP. Ken Peterson, Chair

DATE: 2/17/201/

NAME	<u>PRESENT</u>	ABSENT/ EXCUSED
REP. KEN PETERSON, CHAIR	,	ele
REP. KRAYTON KERNS, VICE CHAIR		
REP. DIANE SANDS, VICE CHAIR	V	
REP. MIKE MENAHAN	V	
REP. ROBYN DRISCOLL	V	
REP. KEITH REGIER	V	
REP. DAN SKATTUM		
REP. CLEVE LONEY	V	
REP. MARGARET MACDONALD	$\bigvee$	
REP. CAROLYN PEASE-LOPEZ	<b>/</b>	
REP. MICHAEL MORE		
REP. LIZ BANGERTER	V	
REP. WENDY WARBURTON	V	
REP. BOB WAGNER	V	
REP. ELLIE BOLDMAN HILL		
REP. BILL HARRIS	V	
REP. KRISTIN HANSEN	V	
REP. DAVID HOWARD	V	
REP. JESSE O'HARA		
REP. JOE READ		<b>V</b>



### HOUSE STANDING COMMITTEE REPORT

February 17, 2011 Page 1 of 1

Mr. Speaker:

We, your committee on Judiciary recommend that House Bill 496 (first reading copy -- white)

do pass.

Signed:

Representative Ken Peterson, Chair

- END -

Committee Vote:
Yes 12, No 7
Fiscal Note Required \_\_\_

HB0496001SC.hgh

2/1/1/25



### HOUSE STANDING COMMITTEE REPORT

February 17, 2011 Page 1 of 1

Mr. Speaker:

We, your committee on Judiciary recommend that House Bill 271 (first reading copy-white)

do pass as amended.

Signed:

Representative Ken Peterson, Chair

And, that such amendments read:

1. Title, line 6.

Strike: "APPLY FOR"

Insert: "OBTAIN"

2. Page 1, line 19.
Strike: "apply for"
Insert: "obtain"

- END -

Committee Vote:
Yes 11, No 9
Fiscal Note Required \_\_\_

HB0271002SC.hgh

Jan 1:30

### **BILL TABLED NOTICE**

### **HOUSE JUDICIARY COMMITTEE**

The HOUSE JUDICIARY COMMITTEE TABLED HB 455 - Amend MAPA to allow non-attorney representation before agencies, by motion, on Friday, February 18, 2011.

(For the Committee)

(For the Chief Clerk of the House)

(Time) (

February 17, 2011

Karen Armstrong, Secretary

Phone: (406) 444-4607

DATE: <u> </u>	do	N NO	
NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR		/	
REP. DIANE SANDS, VICE CHAIR			proyy_
REP. MIKE MENAHAN	V		
REP. ROBYN DRISCOLL	V		
REP. KEITH REGIER		V	
REP. DAN SKATTUM		V	
REP. CLEVE LONEY		V	
REP. MARGARET MACDONALD	V		
REP. PEASE-LOPEZ	V		
REP. MICHAEL MORE	V		
REP. LIZ BANGERTER	V		
REP. WENDY WARBURTON		V	
REP. BOB WAGNER		V	
REP. ELLIE BOLDMAN HILL	V		
REP. BILL HARRIS		V	
REP. KRISTIN HANSEN		· · · · · · · · · · · · · · · · · · ·	
REP. DAVID HOWARD	,		no vote
REP. JESSE O'HARA			no vote
REP. JOE READ			
REP. KEN PETERSON, CHAIR	1/		

DATE: 2/16/201/ BILL NO 2 MOTION:	e to re	conual	r gasses
NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR			
REP. DIANE SANDS, VICE CHAIR			absent
REP. MIKE MENAHAN			
REP. ROBYN DRISCOLL	,		
REP. KEITH REGIER			
REP. DAN SKATTUM	V		
REP. CLEVE LONEY		ч	
REP. MARGARET MACDONALD			
REP. PEASE-LOPEZ		V	
REP. MICHAEL MORE			
REP. LIZ BANGERTER			
REP. WENDY WARBURTON	V		
REP. BOB WAGNER	V		
REP. ELLIE BOLDMAN HILL		V	
REP. BILL HARRIS			
REP. KRISTIN HANSEN			
REP. DAVID HOWARD			absent
REP. JESSE O'HARA			abrent
REP. JOE READ			V-V-100
REP. KEN PETERSON, CHAIR			

DATE: 2/16/2011 BILL NO 21/	MOTIC	NO	2
MOTION: / /	depase		passes
<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	V	/_	
REP. DIANE SANDS, VICE CHAIR			proky
REP. MIKE MENAHAN		V	
REP. ROBYN DRISCOLL		V	
REP. KEITH REGIER	V		
REP. DAN SKATTUM	V		
REP. CLEVE LONEY	V		
REP. MARGARET MACDONALD		1/	
REP. PEASE-LOPEZ		V	
REP. MICHAEL MORE	V		
REP. LIZ BANGERTER		1/	
REP. WENDY WARBURTON	V		
REP. BOB WAGNER	$\overline{\nu}$	,	
REP. ELLIE BOLDMAN HILL		V	
REP. BILL HARRIS	V		
REP. KRISTIN HANSEN	V		
REP. DAVID HOWARD		X	proxy
REP. JESSE O'HARA	:	X	proff
REP. JOE READ	V /	·	
REP. KEN PETERSON, CHAIR	V		
	11	9	

DATE: 2/17/2011 BILL NO 4/2 MOTION:	55	ON NO	failed
		·	_//
<u>NAME</u>	АУЕ	NO ·	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	1 /		
REP. DIANE SANDS, VICE CHAIR		V	prefy
REP. MIKE MENAHAN		V	
REP. ROBYN DRISCOLL		V	
REP. KEITH REGIER			
REP. DAN SKATTUM	7 V		Drake
REP. CLEVE LONEY	•	$\overline{\hspace{1cm}}$	100.0
REP. MARGARET MACDONALD		V	
REP. PEASE-LOPEZ		1/	
REP. MICHAEL MORE	* V	V	
REP. LIZ BANGERTER	·	V	
REP. WENDY WARBURTON	×	*****	
REP. BOB WAGNER	×	<del></del>	
REP. ELLIE BOLDMAN HILL		$\overline{\hspace{1cm}}$	·
REP. BILL HARRIS	×		
REP. KRISTIN HANSEN	×		
REP. DAVID HOWARD			normate
REP. JESSE O'HARA		V	provote
REP. JOE READ		V	
REP. KEN PETERSON, CHAIR		V	
	8	1/	

I request to be excused fi			Jadieia	ry	
Committee because of of	her commitme	ents. I de	esire to leave my proxy vo	to with:	
Indicate Bill number and number under the bill and BILL/AMENDMENT	your vote Ay	e or No.	If there are amendments,	list them by nan	ne and
1/0 001					
HD 311		<u> </u>			
#B 499		<u>                                      </u>			
41.0 110	<b>X</b>	<u>- 1</u>			
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Rep. Des	. 0	14		2-17-11	
Rep. (Si	gnature)	<del>, , ~</del>	Date		

I request to be excused fro	m the	Justin	in			
Committee because of other		1	, ,	to leave my proxy vote w	ith:	
Rep Mut	) ald	x				
Indicate Bill number and y number under the bill and	our vote A	ye or No	o. If th	ere are amendments, list t	hem by nam	e and
BILL/AMENDMENT	AYE	NO		BILL/AMENDMENT	AYE	NO
HB496	X					
HB496 HB271 HB457		Х				
HB45		X				
lon S				Date 2	117/11	
Rep. (Sig	mature)			Date	<del>' '  '</del>	

I request to be excused fr Committee because of otl	her commitm	ients) I de	esire to leave my proxy vote w		
ndicate Bill number and number under the bill and BILL/AMENDMENT	your vote Ay	e or No.	If there are amendments, list to the for each amendment.  BILL/AMENDMENT		e and
4B 211		$\frac{1}{2}$			
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Rep. Davo	$\overline{\mathcal{M}}$			) [1-],	

ndicate Bill number and	vour vote Av	ve or No.	If there are amendments, list	them by nam	e and
umber under the bill and	l indicate a s	eparate vo	te for each amendment.		
BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB455	17-				
					<u> </u>

Thursday, February 17, 2011

HB 50 - Revise requirements for civil actions against bars for dram shop liability Sponsor: Representative Ken Peterson

PLEASE PRINT	· · · · · · · · · · · · · · · · · · ·		
Name	Representing	Support	Oppose
JOHN ARNES	CCTA		<b>/</b>
Miks Coh	5:1+	X	
Neil Peterson	Garning Industry ASSOC		<b>X</b>
Joaqueline Germante	Am The Assa		$\times$
Day merci	PCT Allality		$\times$
are Jahley	State Fin In Co		X
B Sturdend	Self	X	·
H Sturderd	Self	\(\sum_{\chi}\)	
Ehm J. Juleun	Stables Law Office/MTA	,	$\perp$
Konda Jaliagers	Mt Coin Machine Operators		
Savid Holis	SIF	X	
Man Bulkley	Suf	1/2	
Dyhland	Farmer Ins Gros		X
Harries HIMES	Self	V	
· · · · · · · · · · · · · · · · · · ·	0		
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Thursday, February 17, 2011 HB 455 - Amend MAPA to allow non-attorney representation before agencies Sponsor: Representative Jerry O'Neil

### **PLEASE PRINT**

Name	Representing	Support	Oppose
PAUL Scuma	LabortIndustre		X
Brus Greno	MIVOSTE Ba-		$/\times$
Faren Powell	Montana Tax Appeal Board		X
Chartace VIII	DARC		X
Bornie Jacks	DP44S		$\perp$
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Thursday, February 17, 2011
HB 457 - Provide protection of pregnant women
Sponsor: Representative Pat Noonan

**PLEASE PRINT** 

Name	Representing	Support	Oppose
Rebecc Maste	MT Catholic Conf		
LISA Warnsley	Self + Family (Reg. Nurse)	1/	
Mancy Frank	Self + Option Woman's Clinic	V	-
-fflaszloffy	Mr. Family Foundation		
Linds ay Love	PPMT		
BO Stumbers III	Cuyantery RD. Brot. Church & Set		
HARRIS AMES	Eagle Forein	レ	
DON Judge	MT NUVSES' Association	×	
James Green	MHRN	X	-
Albertours	MCADSU	X	

Thursday, February 17, 2011 HB 493 - Provide for 14th amendment state compact on birth records Sponsor: Representative James Knox

**PLEASE PRINT** 

Name	Representing	Support	Oppose
CLARRINGED GST2	52/6	1/	
Loger Nummerson	Self		
86 Strumbora CU	CHAKAN FEMY S.J. B. J. Church	X	
isa Wamsley -	SOIR & family		
Delbrah Suth	AIL		
Leben boune	MCATEL		X
Niki Zhoanic	ACLU OF MT		
HARRIS HIMES	Fash Free	2	
·			
		·	

Thursday, February 17, 2011

HB 496 - Allowing law enforcement agencies to destroy certain firearms they possess

Sponsor: Representative Mike Menahan

### PLEASE PRINT

PLEASE PRINT			
Name	Representing	Support	Oppose
Brant Light	A6	V	·
Brant Light MARK MURPHY	MCAA	V	
	· · · · · · · · · · · · · · · · · · ·		

Thursday, February 17, 2011
HB 518 - Create a mental health care advance directive
Sponsor: Representative Chuck Hunter

### **PLEASE PRINT**

PLEASE PRINT			
Name	Representing	Support	Oppose
Donald Hazr	Mt Psychlatric Association Mt Medical Association	1 -	1
Jon Metropoules	AWARE	$\times$	
michael Corum	Peers	X	
RUBENT CALDWELL M		+	
Chat Dever 1	D Self	K	
Lou Thompson	DPHHS/AMDD	×	
anda Raismann	Ossabellati Rights M7	· K	
Mix 1cmh	NAM Minim	¥	
Mike Foster	St Patrick Hospital	X	
DJ BOWLING	ST Peter's HOYD		X
Amel Growssez	Billings Clinic	X	
Dan Judge	· / · · · · · · · · · · · · · · · · · ·	× ×	
Nanette Gilbertyon Kath	1 Center for Mental Heath Danfastern 2 Mental I	feath V	
Carl L. Koener	VD self	X	
Matt Brani	AWARE Inc.	X	
CAN DACE Page	Mot Psychiatria Ass	_	×
LISA WAMSley		urse	X
0			
		·	

Thursday, February 17, 2011 HB 519 - Direct Dept of Corrections to terminate certain prison industries contracts

Sponsor: Representative Edward Greef

### **PLEASE PRINT**

Name	Representing	Support	Oppose
	DOC		
DIANA KOCH RADYBRODENL	12T Shillyphises		
Rue hli.	ROT ENTERPRIZE		
Kdi Lako	5044		
		,	
	· · · · · · · · · · · · · · · · · · ·		

Thursday, February 17, 2011 HB 532 - Revising statutes of limitations time limits regarding accrual of damages

Sponsor: Representative Tom Berry

### **PLEASE PRINT**

PLEASE PRINT  Name	Pontoconting	Support	Oppose
	Representing	Support	Oppose
Roge 2 McGLENN	ALPS	X	·
BRIAN DELLINEY	ALPS	X	
Davarulije her nark	Am. Fre. Assa	X	
(Bru Spena.	PI	$\sim$	
Anus Elder	MTLA		$\times$
Com la Holse	State Felm	Χ	
Aghir Sout	Farmer, Ins	X	
Roth Bronneman	Disability Kights Monton		X
			· ·
	·	·	

Thursday, February 17, 2011

HB 574 - Constitutional referendum to specify no right to abortion or its public funding

Sponsor: Representative Wendy Warburton

### **PLEASE PRINT**

PLEASE PRINT Name	Danier and in the	C	0
	Representing	Support	Oppose
B.G. Stumberg II	Canyon Temy Rd Dayfist a & Se	4	
Rebecca Mastee	MT Catholiz Conf		
Lisa Wansley	Selfa family (Reg. Nurse		
TOFF COSZIAJFFY	MT Fan. A foundation	V	
1 ares Frank	Options + ALL MT PC Clim	, V	
Villama (sore	ley NARAL ProChorce M	T	
Lebenthung	MCADSV		$\nearrow$
Lindsay Love	PPMT		
Niki Zupanic	ACLU & MT		
HARRIS HIMES	Royle Forem		
			i